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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/876,361	06/07/2001	Matthew R. Labarge	60001.0044US01/MS#154687.	9164

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EXAMINER

SPOONER, LAMONT M

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2626

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/876,361	Applicant(s) LABARGE, MATTHEW R.	
	Examiner LAMONT M. SPOONER	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-40 and 42-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-40 and 42-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/7/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Introduction

1. This office action is in response to applicant's amendment filed 1/02/08. Claims 24-40, and 42-44 are currently pending and have been examined.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/09/08 has been entered.

Response to Arguments

3. Applicant's arguments, see remarks, filed 10/9/08, with respect to the rejection(s) of claim(s) 24-40 and 42-44 under 35 USC 103 have been fully considered and are persuasive. More specifically, applicant's arguments in reference to Lissauer (US 6,466,900), wherein the Examiner notes applicant's arguments are based on the "second version of the original

language pre-translated document, as previously cited as taught by Lissauer). Therefore, the rejections have been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Greco (US 6,804,704) in view of Thurmair (EXCHANGE INTERFACES FOR TRANSLATION TOOLS, 1997).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 24-26, 28-33, 35-40, and 42-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Greco et al. (Greco, US 6,804,705) in view of Lissauer et al. (Lissauer, US 6,466,900).

As per **claims 24, 31 and 38**, Greco teaches a computer-implemented method (computer readable storage medium having computer executable instructions, and system-see Fig. 2-his system, C.7 line 37) for submitting a word processing document for translation services, the method comprising:

obtaining an original pre-translated word processing document (C.4 lines 6-12-his Microsoft Word document, C.4 lines 59-60), wherein the original pre-translated word processing document includes word processing text elements and non-word processing text elements (ibid-his document creation and image);

receiving a request on a word processor associated with the original pre-translated word processing document to translate the original pre-translated word processing document from a first language to a second language (Fig. 5B-his translate menu option);

sending a request to a redirector server for an address of a translation service (C.13 lines 15-23-his available document services directed to by client and server connection, by tool bar selection) for translating the original pre-translated word processing document from the first language to the second language (C.13 lines 15-23, 55, 56-his available document services for translation) wherein the request includes a language identifier for the first language and a language identifier for the second language (Fig. 4 item 430, C.9 lines 19-25 his menu options and function to translate as inherently/necessarily comprising the identifiers for

translating from a first language to a second language, C.8 lines 1-5 his menu);

receiving, from the redirector server, the address for a translation service for translating the original pre-translated word processing document from the first language to the second language in accordance with the language identifier for the first language and the language identifier for the second language (ibid-regarding the language translation, having necessary first and second language identification/identifier for translation service, C.13 lines 15-23-his translation document services);

saving, on a user computer, a first version of the original pre-translated word processing document, wherein the first version includes the word processing text elements and the non-word processing text elements (C.9 lines 1-5-his saving of his document);

sending the version to the translation service indicted by the address received from the redirection server (C.13 lines 15-33, Fig. 4 item 430, Fig. 5B-his translate menu option);

receiving a translated version from the translation service, wherein the translated second version includes a translation of the word processing text elements and the word processing text elements translated from the

first language to the second language according to the identifier of the first language and the identifier of the second language (C.9 lines 23-26-his service provider translation of the document); and

displaying the translated version, wherein the translated second version is displayed in a display format of the original pre-translated word processing document (C.9 lines 19-26, and C.12 lines 45-53).

Greco lacks explicitly teaching generating a second version of the original pre-translated word processing document, wherein the second version includes

an identifier of the first language and an identifier of the second language,

tags that point to non-word processing elements saved on the first version of the word processing document stored on the computer; and the word processing text elements; and

receiving a translated version from the translation service, wherein the translated second version includes the tags that point to the non-word processing elements saved on the first version of the word processing document stored on the user computer.

sending the second version to the translation service indicated by the address received from the redirection server; and

obtaining the non-word processing text elements of the first version by implementing the links of the translated second version to retrieve the non-word processing text elements from the saved first version of the original pre-translated word processing document, and

displaying the translated second version with the non-word processing text elements populated from the links, wherein the translated second version is displayed in a display format of the original pre-translated word processing document.

However, Thurmair teaches the lacking elements:

an identifier of the first language and an identifier of the second language (p.77 section 2.3- inherent to his transmitting the file to be translated to a second language),

tags that point to non-word processing elements saved on the first version of the word processing document stored on the computer (p.74-his non-text sections, p.77-his layout information for non-text portions); and the word processing text elements); and

receiving a translated version from the translation service, wherein the translated second version includes the tags that point to the non-word processing elements saved on the first version of the word processing document stored on the user computer (p.77 section 2.3-his translated text portions re-inserted into the shadow file).

sending the **second** version to the translation service indicated by the address received from the redirection server (p.77 section 2.3 wherein the transmitted text portions as the second version of the document); and

obtaining the non-word processing text elements of the first version by implementing the links of the translated second version to retrieve the non-word processing text elements from the saved first version of the original pre-translated word processing document (p.77 section 2.3, wherein the pointers are implemented and "re-inserted into the shadow file to construct a full target language document"), and

displaying the translated second version with the non-word processing text elements populated from the links, wherein the translated second version is displayed in a display format of the original pre-translated word processing document (p.77 section 2.3, wherein the pointers are

implemented and "re-inserted into the shadow file to construct a full target language document").

Therefore, at the time of the invention, it would have been obvious to modify Greco's stored document with Thurmair's shadow document and sending the second version which requires translation to the translation service and receiving the second translated version, and reconstructing the document. The motivation for doing so would have been to save memory space and cost in the transmission of a file for translation (Thurmair p.77 p.77 section 2.3) and provide a translation and display of the translated results in a format similar to the original document.

As per **claims 25, 32, and 39**, Greco and Thurmair make obvious the computer-implemented method of claim 24, wherein the redirector server is a remote server accessible via a distributed computing environment (Fig. 1 items 120 and 130).

As per **claims 26, 33 and 40**, Greco and Thurmair make obvious the computer-implemented method of claim 24, wherein the translation service is associated with a remote server accessible via a distributed computer environment (Fig. 1 items 100, 110, 120, 130, and 140-his as his

distributed environment, remotely located, from client side and recipient side, including translation service and providers).

As per **claims 28, 35 and 42**, Greco and Thurmair make obvious the computer-implemented method of claim 24, but lacks explicitly teaching wherein sending the second version includes sending the second version with an HTTP POST request. However, the Examiner takes Official Notice that a POST request is used to send data to a server to be processed (by definition and purpose). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to combine a POST request with Thurmair combined with Greco's transmission of information to a server providing the benefit of utilizing a well known method of sending data via the Internet.

As per **claim 29, 36 and 43**, Greco and Thurmair make obvious the computer implemented method of claim 24, but lack explicitly teaching wherein sending a request to the redirector server includes an HTTP GET request, wherein the HTTP GET request includes the language identifier for the first language identifier for the second language. However, as admitted prior art, the Examiner notes that the GET request is used to send data to the server, more specifically, it is a string that identifies a data resource on

the server (for example a specific query element to a specific database, GET /path/script.cgi?field1=value1&field2=value2 HTTP/1.0). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to combine a GET request with Thurmair combined with Greco's transmission of information to a server providing the benefit of utilizing a well known method of sending data via the Internet, to provide for a specific query information/values for a first and second language.

As per **claims 30, 38 and 44**, Greco and Lissauer make obvious the computer implemented method of claim 24. Greco further teaches wherein sending the version includes launching an instance of a web browser from the word processor and submitting the version through the browser to the translation service (C.12 lines 50-53). Greco lacks explicitly teaching the version as a second version. However, Thurmair teaches the second version (see claim 24). Therefore, at the time of the invention, it would have been obvious to modify Greco's browser instance of sending a request with Thurmair second version providing saved memory space during transmission and utilizing a well known method of online communication by Browser.

6. Claims 27 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Greco et al. (Greco, US 6,804,705) in view of Thurmair as applied to claim 24 above, and further in view of Bourbonnais et al. (US 6,338,033).

As per **claims 27 and 34**, Greco and Thurmair make obvious the computer-implemented method of claim 24, but the combination lack explicitly teaching wherein the second version is HTML,

However, Bourbonnais teaches HTML (translation services requiring HTML formatting of document for translation, see C.7 lines 15-30-his supported formats for translation as HTML). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to modify the combination of Greco and Thurmair with Bourbonnais' HTML format for transmission and translation and presentation/display to the user, providing the benefit of a known format for electronic online document transmission for translation and reception by an interface/browser.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Murata et al. (US 5,987,402) **teaches machine translation to recognize tags and other non-textual elements and transferring them from the source document into appropriate points in a translated document.**
- Thornton et al. (US 7,197,749) teaches a redirecting translation service to a client.
- Fox et al. (US 6,934,908) teaches substituting objects other than text into a translated document, by link.
- Resnik et al. (US 6,615,168) teaches markup elements for a document with document analysis, language conversion.
- Kaji et al. (US 5,813,018) teaches automated text extraction and composition of image and text.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAMONT M. SPOONER whose telephone number is (571)272-7613. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571/272-7603.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

lms
12/17/08
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